

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO.: 5:05CV240-V**

**THE HICKORY SPRINGS RETIREMENT
PLAN and THE HICKORY SPRINGS
INVESTMENT SAVINGS PLAN,**

Plaintiffs,

vs.

**LYNWOOD J. ANDREWS, THE ESTATE
OF PAULA M. ANDREWS (and its
Administrator, Lynwood J. Andrews), and
G.C. MEDLEY, JR.,**

Defendants.

**ORDER FOR DEFAULT
JUDGMENT**

In consideration of Plaintiffs' Motion for Default Judgment, IT IS, THEREFORE,
ORDERED, ADJUDGED AND DECREED that:

1. Default judgment is hereby entered against Defendants Lynwood J. Andrews, the Estate of Paula M. Andrews (and its Administrator, Lynwood J. Andrews), and G.C. Medley, Jr. pursuant to Rule 55 of the Federal Rules of Civil Procedure;

2. Plaintiffs shall pay to the Clerk of Court the account and benefit of the deceased Paula Andrews in the Plans (which shall be held in an interest bearing account if possible), valued as of the date of this Order;

3. Defendants shall interplead any claims they may have against the Plans with respect to the interest of the deceased Paula Andrews in the Plans;

4. Plaintiffs are hereby discharged from any further liability or involvement in this

litigation;

5. Defendants are hereby permanently enjoined from filing suit or otherwise seeking recovery against Plaintiffs on the basis of the proceeds in dispute in this action, representing the interest of the deceased Paula Andrews in the Plaintiffs;

6. Plaintiffs are hereby awarded their costs and attorneys' fees in the amount of \$9,857.00, to be paid out of the money transferred to the Court pursuant to paragraph 2 of this Order;

7. Upon the final adjudication or other determination of this matter, Plaintiffs shall be repaid any excess payment out of any funds they deposit into Court if Lynwood J. Andrews, in his personal capacity, is determined or adjudged or otherwise agreed to be the correct beneficiary of the deceased Paula Andrews's benefits under The Hickory Springs Retirement Plan.

Signed: March 21, 2006

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
Chief United States District Judge

